

In re Application of: Sam J. Kelley, et al.
Serial No.: 10/820,617
Filing Date: April 8, 2004
Title: BALL PITCHING GAME AND METHOD

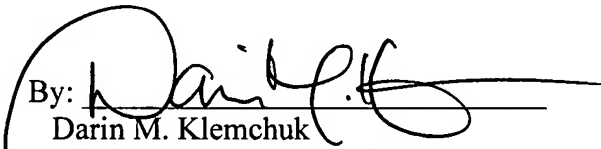
Honorable Commissioner of
Patents & Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicants submit this statement. The references disclosed herein are listed on the attached PTO Form SB/08B. A copy of the inventors' declaration is attached hereto. No representation is made or intended that a search has been made or that no better prior art than that listed is available.

Respectfully submitted,

CASH LAW GROUP, PLLC
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MAY 24 2004

(Use as many sheets as necessary)

Complete if Known

Application Number	10/820,617
Filing Date	April 8, 2004
First Named Inventor	Sam J. Kelley
Art Unit	
Examiner Name	
Attorney Docket Number	20010.00002

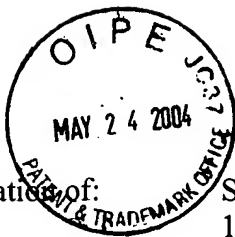
Sheet	1	of	1
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Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



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**DECLARATION OF INVENTORS IN SUPPORT OF
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

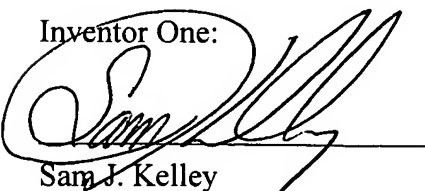
1. Our names are Sam J. Kelley and Christopher H. Davis. We are the inventors of the invention claimed in the above-referenced patent application. We are submitting this Declaration and Supplemental Information Disclosure Statement to satisfy our duty of candor and disclosure to the U.S. Patent and Trademark Office.

2. Sometime between February and April 2002 at the home of Sam J. Kelley, we demonstrated an early prototype of the game disclosed and claimed in the above-referenced patent application to Jim Gibson and Tyson Brennan. This prototype did not include a center ball, nor did it have the same rules or playing field dimensions as the game claimed in the above-referenced patent application. This was the only disclosure of a prototype of the game prior to July 18, 2002.

3. Between March 2002 and April 2002, we added a center ball to the game, changed the dimensions of the game's playing field, and changed the rules of the game. The game design was formalized on or about April 25, 2003, and we subsequently filed a provisional patent application (serial number 60/488,157) receiving a July 18, 2003 filing date from the U.S. Patent and Trademark Office. On April 8, 2004, we filed the above-referenced non-provisional patent application claiming priority to the provisional patent application under 35 U.S.C. 119(e).

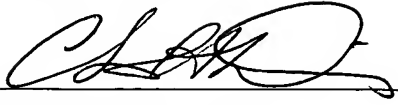
4. All statements herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

Inventor One:


Sam J. Kelley

Date: May 10, 2004

Inventor Two

A handwritten signature in black ink, appearing to read 'CH Davis', written over a horizontal line.

Christopher H. Davis

Date: May 10, 2004